

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA : CASE NO. 3:21MJ350-SLO  
v. :  
ERIC WIGGINS :

THIRD ORDER EXTENDING TIME TO FILE INDICTMENT/INFORMATION

Having read and considered (1) the parties' joint Motion for an Order Extending the Time in Which to File an Indictment/Information, and (2) Defendant's Waiver of Timely Indictment/Information, the Court hereby GRANTS the Motion. In so doing, the Court finds that the Defendant's waiver is knowingly, intelligent, and voluntary. The Court further finds pursuant to 18 U.S.C. §3161(h)(8)(A), after considering the factors set forth in 18 U.S.C. §3161(h)(8)(B), that the ends of justice served by granting the extension outweigh the best interest of the public and the Defendant in a speedy information, indictment, and trial. The Court makes this ends of justice finding because the failure to grant an extension would deny counsel for the Defendant and/or the attorney for the United States the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice, in that the parties desire and need additional time to review certain informal discovery material and information, conduct their respective investigation and analysis, and explore, negotiate and consider a possible pre-indictment resolution of this matter.

Accordingly, the time period specified in 18 U.S.C. § 3161(b), within which the United States must file an indictment or information relative to the current charge(s) in this matter, is extended for a period of sixty days, up to and including February 26, 2022. The time period from the date when an indictment or information must have been filed, namely, December 22, 2021, up to and including February 26, 2022, shall, in addition to any other excludable time, be excluded in computing the time within which an indictment or information relative to the charge(s) in this matter must be filed.

Date: 1/19/22

  
PETER B. SULLIVAN, JR.  
Peter B. Sullivan, Jr.  
UNITED STATES MAGISTRATE JUDGE  
United States Magistrate Judge

